

Honorable Richard A. Jones

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

EPHRAIM ROSENBERG,  
JOSEPH NILSEN,  
HADIS NUHANOVIC,  
KRISTEN LECCESE,  
ROHIT KADIMISETTY,

Defendants.

NO. CR20-151RAJ

ORDER CONTINUING TRIAL DATE  
AND PRETRIAL MOTIONS DEADLINE

THE COURT, having considered the parties' Stipulated Motion to Continue Trial Date and Pretrial Motions Deadline, and all the files and records herein, finds as follows:

1. The facts and circumstances are as set forth in the Stipulated Motion to Continue Trial Date and Pretrial Motions Deadline;

2. The case is complex due to such factors as the nature of the charges and prosecution, the potential consequences, the possible questions of law and fact, the size, scope, and technical nature of discovery, and the unusual complexity of the case;

1           3.     The Coronavirus Disease 2019 (COVID-19) pandemic and health-related  
2 directives and considerations substantially impair counsels' ability to meet with their  
3 respective clients and adequately prepare for trial, warranting a continuance of this  
4 matter;

5           4.     In light of the recommendations made by the Centers for Disease Control  
6 and Prevention (CDC) and Public Health for Seattle and King County regarding social  
7 distancing measures required to stop the spread of this disease, it is not possible to  
8 proceed with a jury trial on this matter as currently scheduled, particularly given the  
9 number of defendants and counsel and the anticipated witnesses and duration of trial;

10          5.     Failure to grant a continuance in this case would deny counsel the  
11 reasonable time necessary for effective preparation of trial and other pretrial proceedings,  
12 taking into account the exercise of due diligence;

13          6.     For these reasons, failure to grant a continuance could result in a  
14 miscarriage of justice;

15          7.     The ends of justice served by granting this continuance outweigh the best  
16 interest of the public and the defendant in a speedy trial; and

17          8.     All these findings are made within the meaning of 18 U.S.C.  
18 § 3161(h)(7)(A) and (B)(i),(ii) and (iv).

19               IT IS THEREFORE ORDERED that:

20          1.     The parties' Stipulated Motion to Continue Trial Date and Pretrial Motions  
21 Deadline (Dkt. # 63) is GRANTED;

22          2.     The trial in this matter is continued to January 10, 2022, at 9:00 a.m.;

23          3.     All pretrial motions, including motions in limine, shall be filed no later than  
24 November 4, 2021, and noted for consideration on the third Friday after filing, with  
25 responses thereto due no later than fourteen (14) days after filing of the motions, and  
26 replies thereto (if permitted), due no later than the noting date of the motions; and  
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1           4.       The period of time from the date of this Order until the new trial date of  
2 January 10, 2022, shall be excludable time pursuant to the Speedy Trial Act, 18 U.S.C.  
3 § 3161(h)(7)(A).  
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5           DATED this 1st day of December, 2020.  
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9           The Honorable Richard A. Jones  
10 United States District Judge  
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